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UNPINGCO & ASSOCIATES, HI

JUN 27 2008 PP.

JEANNE G. QUINATA
Clerk of Court

JUN 49 7008

Hagåtña, Guam 96910 Tel: (671) 472-7332 Fax: (671) 472-7215

United States Attorney

MIKEL W. SCHWAB Assistant U.S. Attorney

Sirena Plaza, Suite 500 108 Hernan Cortez Avenue

LEONARDO M. RAPADAS

Attorneys for the United States of America

UNITED STATES DISTRICT COURT

TERRITORY OF GUAM

MARESA L. ANDERSON,

CIVIL CASE NO. 07-00003

Plaintiff,

VS.

UNITED STATES OF AMERICA,

Defendant.

FIFTH OFFER OF JUDGMENT PURSUANT TO FED.R.CIV.P. RULE 68

This is an offer of Judgment for One Hundred and Sixty Thousand Dollars (\$160,000.00) pursuant to Federal Rules of Civil Procedure, Rule 68. This offer is inclusive of costs and fees, and is not an admission of liability. If within ten (10) days after the service of this offer you accept, either party may then file this offer and notice of acceptance together with proof of service thereof and there upon the clerk shall enter

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judgment. Should you fail to accept this offer and fail to gain a final judgment against this defendant in excess of One Hundred and Sixty Thousand Dollars (\$160,000.00) you must pay all costs incurred after the date of this offer.

SO SUBMITTED this day of June 2008.

LEONARDO M. RAPADAS

United States Attorney

District of Guard and NMI

BY:

MIKEL W. SCHWAB Assistant U.S. Attorney